

Remarks

The various parts of the Office Action (and other matters, if any) are discussed below under appropriate headings.

Allowable Subject Matter

The allowance of claims 5-10, 12-15, 19 and 23-25 is noted with appreciation.

Drawings

The Examiner has objected to the drawings for failing to show a xylophone as set forth in claim 20. Claim 20 has been amended to delete the reference to a xylophone, thereby rendering the objection moot.

Claim Rejections - 35 U.S.C. § 103

Claims 1, 3, 4, 11, 16-18 and 20-22 have been rejected as being unpatentable over Epple taken alone or in view of Eubanks and/or Luchenbach. Withdrawal of this rejection is respectfully requested for at least the reasons previously made of record. Moreover, claims 1, 11, 21 and 22 have been amended to further define patentably over the prior art in order to advance prosecution of this application. As amended, claims 1, 11, 21 and 22 call for the tether to be attached to the striker or implement at a fixed location.

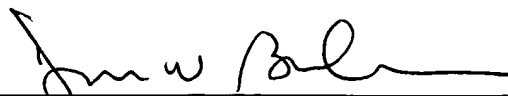
Epple discloses a tunable turkey call. As indicated at column 4, lines 17-21, the striker weight 27 is movable up and down the striker peg to obtain varying sounds. Accordingly, the combination advanced by the Examiner, even if there were reasonable motivation therefor, would not disclose or suggest the subject matter of claims 1, 11, 21 and 22.

Conclusion

In view of the foregoing, request is made for timely issuance of a notice of allowance.

Respectfully submitted,

RENNER, OTTO, BOISSELLE & SKLAR, LLP

By 

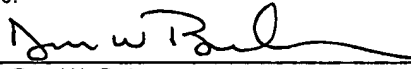
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CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this paper (along with any paper or thing referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: March 4, 2005


Don W. Bulson

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